

REMARKS

In light of the remarks to follow, reconsideration and allowance of this application are respectfully requested.

Claims 1-24 and new claims 49-51 are pending in this application. Claims 25 to 48 are canceled. Applicants reserve the right to present claims 25-48 in one or more divisional applications.

Claims 1-24 were rejected under 35 U.S.C. §103(a) as being unpatentable over archived web pages of www.divx.com (hereinafter "DivX") in view of an article by Shelley K. Schwartz entitled DivX on the Defensive (hereinafter "Schwartz"). The rejection is traversed for the following reasons.

In an aspect of the invention, a method for providing particularized credit to a user in an electronic content distribution system that implements a network is provided. In the method, an identifier for an optical storage medium, such as a compact disc, is received by the electronic content distribution system through a network. The identifier identifies content stored on the compact disc. The electronic content distribution system issues a credit to the user based on the identifier. Such credit may be, as an example, a discount on the purchase of content acquired through the electronic content distribution system. The credit is used when receiving content similar to the content on the compact disc through the electronic content distribution system.

It is respectfully submitted that the combination of DivX and Schwartz does not teach the invention as defined by the claims. The combination of DivX and Schwarz teaches a system where a user obtains an optical storage medium or disc to be played on a DivX player. Once the user decides to play the content on the disc, the user has a predetermined period of time in which to view the content stored on the disc. After the

predetermined period of time has expired, the user can not view the content on the disc unless he/she purchases additional time periods for viewing the contents on the disc. There is no disclosure in DivX nor Schwartz that the purchase of additional time periods involves the step of receiving an identifier that identifies a particular content through a network.

Further, the combination of DivX and Schwartz teaches that the content to be viewed is stored on the disc and can be viewed after the predetermined time period by purchasing and receiving credits. It does not use the credits to receive the content through an electronic content distribution system.


Accordingly, independent claims 1, 11, and 18, as well as claims 2-10, 12-17, 19-24, and 49-51 which depend therefrom, are believed to be distinguishable from the applied combination of DivX and Schwartz for at least the reasons described above.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

By 
Mayush Singhvi
Registration No.: 50,431
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Attorney for Applicant